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Legislative History – Montana Session Law

Chapter: 201 Session L: 1957

Bill Number: HB 92

Checklist of Bill History

History and Final Status Sheet *

Introduced Bill	☐
Fiscal Note	☐
Third Reading Bill	☐
Final Version of Bill	x

House	Senate
Committee: Townships and Counties	Committee: Judiciary
Hearing Date(s):	Hearing Date(s):
Committee Report:	Committee Report:
Conference Committee	

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: Damon Martin

Date: 1/10/25

Notes: Missing the minutes and exhibits. Possibly at MHS?

Laws, Resolutions and Memorials

OF THE

STATE OF MONTANA

PASSED BY THE

Thirty-fifth Legislative Assembly
In Regular Session

Held at Helena, the Seat of Government of Said State,
Commencing January 7th, 1957, and
Ending March 7th, 1957

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.



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Amending
clause.

Section 10. That section 16-1219 of the Revised Codes of Montana, 1947, as amended by section 19 of chapter 138 of the laws of 1951, be, and the same is hereby amended to read as follows:

Bids, how
made—other
prices.

“16-1219. **Bids, How Made — Other Prices.** Bids may be made either on the entire act, or bids may be made under each section. If each section is bid upon separately the section must be bid upon in its entirety and not upon individual items in such section.

Other blank
book, carbon,
carbonized
paper and
printed forms.

Catalog list
or authority
of board of
county com-
missioners.

“All other blank books, *1-time carbon, carbonized paper, and printed forms* not covered herein shall be furnished at prices not in excess of the prices for such work as set forth in the current Franklin Printing Catalog list, *or by authority of the board of county commissioners at the price mutually agreed upon.*”

Repealing
clause.

Section 11. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 9, 1957.

CHAPTER 201

An Act to Provide for Concurrent Jurisdiction of Municipalities Over Violations Occurring Within the Limits of Municipalities, of Sections 39 and 40 of the Uniform Act Regulating Traffic on Highways, Chapter 263 of the 1955 Session Laws of the State of Montana; Pertaining, Respectively, to Driving While Intoxicated and to Reckless Driving, and to Provide for the Imposition of Fines and Penalties by Municipalities for such Violations; by Amending Section 27 of the Aforesaid Uniform Act, Chapter 263 of the 1955 Session Laws of the State of Montana, Pertaining to Uniformity of Provisions of said Act Throughout this State, Section 28 of said Act Pertaining to Powers of Local Authorities, Section 39 of said Act Pertaining to Driving While Intoxicated, and Section 40 of said Act Pertaining to Reckless Driving; Repealing All Acts or Parts of Acts in Conflict Herewith, and Providing an Effective Date.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 27 of chapter 263 of the 1955 session laws of the State of Montana be, and the same is hereby amended to read as follows:

Amending clause.

"Section 27. **Provisions of Act Uniform Throughout State.** The provisions of this act shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein and no local authority shall enact or enforce any ordinance, rule, or regulations in conflict with the provisions of this act unless expressly authorized herein. Local authorities may, however, adopt additional traffic regulations which are not in conflict with the provisions of this act."

Provisions of act uniform throughout state.

Section 2. That section 28 of chapter 263 of the 1955 session laws of the State of Montana be, and the same is hereby amended to read as follows:

Amending clause.

"Section 28. **Powers of Local Authorities.** (a) The provisions of this act shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

Powers of local authorities.

"1. Regulating the standing or parking of vehicles;

Areas of local authority enumerated.

"2. Regulating the traffic by means of police officers or traffic-control devices;

"3. Regulating or prohibiting processions or assemblages on the highways;

"4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one (1) specific direction;

"5. Regulating the speed of vehicles in public parks;

"6. Designating any highway as a through highway and requiring that all the vehicles stop before entering or crossing the same, designating any intersection as a stop intersection, and requiring all vehicles to stop at one or more entrances to such intersections;

"7. Restricting the use of highways as authorized in section 32-1128, Revised Codes of Montana, 1947;

"8. Regulating the operating of bicycles and re-

quiring the registration and licensing of same, including the requirement of a registration fee;

"9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;

"10. Altering the speed limits as authorized herein;

Habitual
users of drugs.

"11. *Regulating the driving of vehicles by any person who is an habitual user of, or under the influence of, any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle within the incorporated limits of any city or town.*

Influence
of liquor.

12. *Regulating or prohibiting any person who is under the influence of intoxicating liquor from driving or being in actual physical control of any vehicle within the incorporated limits of any city or town.*

Disregard
of safety
of persons
and property.

13. *Regulating or prohibiting the driving of vehicles by any person in a willful or wanton disregard for the safety of persons or property within the incorporated limits of any city or town.*

Other regu-
lations.

14. *Adopting such other traffic regulations as are specifically authorized by this act.*

Amending
clause.

Section 3. That section 39 of chapter 263 of the 1955 session laws of the State of Montana be, and the same is hereby amended to read as follows:

Driving or
control under
influence of
liquor for-
bidden.

"Section 39. **Persons Under the Influence of Intoxicating Liquor or of Drugs.** (a) It is unlawful and punishable as provided in paragraph (c) of this section for any person who is under the influence of intoxicating liquor to drive or be in actual physical control of any vehicle within this state.

Driving under
influence of
drugs for-
bidden.

"(b) It is unlawful and punishable as provided in paragraph (c) of this section for any person who is an habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle to drive a vehicle within this state. The fact that any person charged with a violation of this paragraph is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this paragraph.

“(c) Every person who is convicted of a violation of this section will be punished by imprisonment for not more than six (6) months, or by fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by both such fine and imprisonment. On a second or subsequent conviction he shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year, or in the discretion of the court, a fine of not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000.00) or by both such fine and imprisonment.”

Penalties.

Second or subsequent convictions.

(d) Each and every municipality in this state is hereby given authority to enact the foregoing paragraphs (a), (b) and (c) of this section, with the word “state” in the first sentence of paragraph (b) changed in each instance to read “municipality,” as an ordinance, and is hereby given jurisdiction of the enforcement of said ordinance, and of the imposition of the fines and penalties therein provided.

Cities given authority to enact (a), (b) and (c) of this section as ordinance with jurisdiction for enforcement.

“The board shall forthwith revoke the license or permit to drive and operating privilege and any nonresident operating privilege of any person convicted under this section or under any ordinance enacted pursuant to the authority of this section; providing, however, that the board shall have the authority after such revocation upon proper application and proper showing made to the board by the party whose license has been revoked to issue to said party a restricted operator's or chauffeur's license allowing the said party to drive a motor vehicle to and from and in the course of his business only, and such restricted license shall remain in effect at the will of said board.”

Revocation of license or permit.

Proviso—restricted licenses.

Section 4. That section 40 of chapter 263 of the 1955 session laws of the State of Montana be, and the same is hereby amended to read as follows:

Amending clause.

“Section 40. **Reckless Driving.** (a) Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

Reckless driving.

“(b) Every person convicted of reckless driving shall be punished upon a first conviction by imprisonment for a period of not more than ninety (90) days, or by

Penalty.

Second and subsequent convictions.

fine of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00), or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not less than ten (10) days nor more than six (6) months, or by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by both such fine and imprisonment."

Authority to cities to enact (a) and (b) of this section as ordinance with jurisdiction for enforcement.

(c) Each and every municipality in this state is hereby given authority to enact the foregoing paragraphs (a) and (b) of this section as an ordinance, and is hereby given jurisdiction of the enforcement of said ordinance and of the imposition of the fines and penalties therein provided.

Repealing clause.

Section 5. All acts and parts of acts in conflict herewith are hereby repealed.

Effective immediately.

Section 6. This act shall be in full force and effect from and after its passage and approval.

Approved March 9, 1957.

CHAPTER 202

An Act to Amend Section 75-3403, of the Revised Codes of Montana, of 1947, as Amended by Section 1, Chapter 52, Session Laws of Montana, of 1955, Relating to the Maintenance, Purchase, Insurance and Replacement of School Bus or Busses and Two-way Radios by School Trustees; Providing for Contracts of School Pupil Transportation by School Trustees Not in Excess of Five (5) Years; Providing for a Levy by School Districts Owning a School Bus or Busses, not to Exceed Twelve and One-half Percent (12½%) of the Original Cost of the School Bus or Busses, for Purchase of School Bus or Busses and Two-way Radios for Replacements; Designating a Fund and Purpose for Which Used; Providing for an Election by Electors of the District When Fund may be Used for Other than Designated Purpose; Providing for the Installation of Two-way Radios in said School Bus or Busses in School Districts Where Weather and Road Conditions may Constitute a Hazard to the Safety of School Pupil Passengers in the State of Montana; Providing

HOUSE JOURNAL

OF THE

Thirty-fifth Legislative
Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing January 7, 1957, and
Ending March 7, 1957.

ALLEN H. DONOHUE,
Chief Clerk.

MRS. ROSEMARY ACHER,
Journal Clerk.

PUBLISHED BY AUTHORITY



No.	Title of Bill	Page
92	Introduced by Anderson (Cascade), Regan, Morrison, Norby, Picard, Healy, Haines (Missoula), Gebhardt, Pierce: A bill for an act entitled: "An act to provide for concurrent jurisdiction of municipalities over violations, occurring within the limits of municipalities, of Sections 39 and 40 of the uniform act regulating traffic on highways, Chapter 263 of the 1955 Session Laws of the State of Montana, pertaining, respectively, to driving while intoxicated and to reckless driving, and to provide for the imposition of fines and penalties by municipalities for such violations, by amending Section 27 of the aforesaid uniform act, Chapter 263 of the 1955 Session Laws of the State of Montana, pertaining to uniformity of provisions of said act throughout this state, Section 28 of said act pertaining to powers of local authorities, Section 39 of said act pertaining to driving while intoxicated, and Section 40 of said act pertaining to reckless driving, repealing all acts or parts of acts in conflict herewith, and providing an effective date."	60, 103, 147, 167, 175, 176, 600, 605, 612, 646, 647, 662.
93	Introduced by Anderson (Cascade), Regan, Morrison: A bill for an act entitled: "An act authorizing counties, cities and towns to enter into hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees; limiting the county, city or town contribution to five dollars (\$5.00) per month for each officer and employee; repealing all acts and parts of acts in conflict herewith, and providing an effective date."	60, 221, 268, 285, 289, 296, 427, 538, 551, 558, 636, 637, 662.
94	Introduced by Daniels, Abel, Cullen, Cunningham, Dempsey, Mangan, Emmons, McAndrews: A bill for an act entitled: "An act to amend Section 72-622, Revised Codes of Montana, 1947, relating to equipment of railroad and railway cabooses; repealing all acts and parts of acts in conflict herewith and containing an effective date."	61, 175, 198, 213, 217, 218, 568.
95	Introduced by Cumming, Berg, Bick: A bill for an act entitled: "An act to amend Section 25-410 of the Revised Codes of Montana, 1947, relating to fees for witnesses in criminal actions or coroner's inquests; providing that witnesses in courts not of record in criminal actions and coroner's inquests shall receive three dollars per day and containing a repealing clause."	61, 175, 198, 213, 217, 219, 280.
96	Introduced by Cumming, Berg, Bick: A bill for an act entitled: "An act to amend Section 25-	

from any county in the state; providing for an exception for animals hauled to a point in an adjoining county for shipment by railroad where stock inspector is located and for which movement a transportation permit has been obtained; to amend Section 46-802 of the Revised Codes of Montana, 1947, as amended by Section 2, Chapter 184, of the Laws of 1953, relating to the duties of state stock inspectors and deputy state stock inspectors and providing for issuance of a transportation permit to owner or owners of animals for delivery of his livestock to a railroad shipping point in an adjoining county; to amend Section 46-804 of the Revised Codes of Montana, 1947, as amended by Section 1 of Chapter 106 of the Laws of 1949, as amended by Section 3 of Chapter 184 of the Laws of 1953, relating to the fees for inspection of livestock and providing for fees for issuance of market consignment permit or transportation permit for removal of animals from county; to amend Section 46-806 of the Revised Codes of Montana, 1947, as amended by Section 4 of Chapter 184 of the Laws of 1953, relating to the penalties for violations of the livestock inspection laws and providing penalties for failure to obtain transportation permit as required by law, for failure to deliver animals to destination shown on permit and to have such animals so transported inspected at destination, or for failure to file loading tally with carrier as provided in Section 46-1008 of the Revised Codes of Montana; and containing a repealing clause." Referred to Committee on Livestock and Public Ranges.

House Bill No. 90, introduced by Thomas, Howard, Haines (Missoula), Norby, Beck, DeWolfe, Glancy, Johnson: A bill for an act entitled: "An act to authorize in certain instances the boards of county commissioners to levy an additional tax of not to exceed four (4) mills for the county poor fund." Referred to Committee on Townships and Counties.

House Bill No. 91, introduced by Tonner, Wood, Siderius, Jensen: A bill for an act entitled: "An act to repeal Section 2 of Chapter 114, Session Laws of 1953, relating to the exchange of certain state lands within the boundaries of Glacier park with the government of the United States, providing for the effective date of the act from and after its passage and approval." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 92, introduced by Anderson (Cascade), Regan, Morrison, Norby, Picard, Healy, Haines (Missoula), Gebhardt, Pierce: A bill for an act entitled: "An act to provide for concurrent jurisdiction of municipalities over violations, occurring within the limits of municipalities, of Sections 39 and 40 of the uniform act regulating traffic on highways, Chapter 263 of the 1955 Session Laws of the State of Montana, pertaining, respectively, to driving while intoxicated and to reckless driving, and to provide for the imposition of fines and penalties by municipalities for such violations, by amending Section 27 of the aforesaid uniform act, Chapter 263 of the 1955 Session Laws of the State of Montana, pertaining to uniformity of provisions of said act throughout this state, Section 28 of said act pertaining to powers of local authorities, Section 39 of said act pertaining to driving while intoxicated, and Section 40 of said act pertaining to reckless driving, repealing all acts or parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 93, introduced by Anderson (Cascade), Regan, Morrison: A bill for an act entitled: "An act authorizing counties, cities and towns to enter into hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees; limiting the county, city or town contribution to five dollars (\$5.00) per month for each officer and employee; repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Banking and Insurance.

It was moved by Barrett that the House adjourn until 11:00 A.M. Tuesday, January 29, 1957, Motion carried.

House adjourned.

EUGENE H. MAHONEY,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

Montana
January 29, 1957
TWENTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January, 29, 1957.

House convened at 11:00 A.M., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Barnard, Hawks, Walton, excused.

Mr. Speaker, We your Committee on Journal, having examined the Journal for the Twenty-second Legislative Day, find the same to be correct.

GRAY, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 55, 51, 37, 80, 153, House Joint Resolution No. 1, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 do pass.

HOOKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 be amended as follows: by striking out in their entirety Section 2 and Section 3 of the original bill. And as so amended, do pass.

HOLTZ, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Hooks that House Bill No. 13 be taken from the Committee on Judiciary and referred to the Committee on Privileges and Elections. Motion carried.

It was moved by Cerovski that House Bills Nos. 183 and 184 be taken from the Committee on State Boards and Institutions and referred to the Committee on Judiciary. Motion carried.

Motion was made by Cerovski that the House reconsider its action of yesterday in recommending that House Bill No. 84 do not pass. Motion carried.

evaporation; providing for an effective date for such tax, repealing the license tax provided in Section 10 of Chapter 39, Laws of Montana, 1945, as amended and providing an effective date of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 390, introduced by Babcock, Pierce, Tange, Michels: A bill for an act entitled: "An act to establish a motor vehicle inspection division of the Department of Motor Vehicles; providing for declaration of policy; definition of 'motor vehicles' as used in this act; creation of motor vehicle inspection division; powers and duties of the motor vehicle inspection division; clearance of motor vehicles at inspection stations; issuance of clearance certificates; construction and rights of way for inspection stations; cooperation among departments of the State of Montana with regard to utilization of inspection stations; fines and penalties and disposition thereof; appropriation for establishment and administration of motor vehicle inspection division; severability of provisions of this act." Referred to Committee on Appropriations.

House Bill No. 391, introduced by Babcock, Beck, Broeder, Bentz, Michels: A bill for an act entitled: "An act to amend Section 53-625, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, relating to reciprocity; by providing for proportional licensing in this state of fleets of two or more motor vehicles engaged in interstate commerce; providing for the administration of this act by the State Highway Commission; providing for the issuance of distinctive plates, stickers or other identification; providing for fees; defining certain terms herein; providing that owner's records be preserved for four years; providing for a penalty; providing that State Highway Commission may audit books; providing that license fees shall be a lien; and repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Highways and Highway Transportation.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 203, 92, 32; House Joint Memorials Nos. 10 and 11, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

It was moved by Barrett, and carried, that the House recess subject to the Call of the Chair. House recessed.

House resumed. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 392, introduced by Babcock, Beck, Broeder, Bentz, Michels: A bill for an act entitled: "An act to amend Section 53-114, replacement volume Number Three (3) of the Revised Codes of Montana, 1947, as amended by Section 1, Chapter 256, Laws of 1955, relating to application for registration of motor vehicles and payment of license fees thereon—assessment of motor vehicles in the stock of licensed motor vehicle dealers as merchandise—proportional registration of fleets of vehicles engaged in interstate commerce, by deleting the provision of proportional registration of fleets of vehicles engaged in interstate commerce; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 393, introduced by Emmons (by request): A bill for an act entitled: "An act to prohibit persons, firms or corporations, loaning money on the security of real and personal property, to designate the particular agent, broker, or insurer, with whom the policy of insurance

deleting the period and quotes, and in lieu thereof inserting a ";" and adding the following words: "and providing that the notices conform to the statutes regulating hours of elections."

By further amending House Bill No. 164 as follows: On lines 1, 2 and 3 of Section 1 of the printed bill, after the year "1947," by deleting the following words: "as amended by Chapter 167 of the Session Laws of the Twenty-ninth Legislative Assembly of Montana, 1945, be, and the same";

Be it further amended as follows: On line 15 of Section 1 of the printed bill, by deleting after the word "o'clock" the words "in the afternoon" and inserting in lieu thereof the letters "P.M." And as amended, that House Bill No. 164 do pass.

That House Bill No. 58 do pass.

That House Bill No. 194 do pass.

That House Joint Memorial No. 3 do pass.

That House Joint Memorial No. 4 do pass.

That House Joint Memorial No. 8 do pass.

That House Bill No. 203 do pass.

That House Bill No. 92 do pass.

That House Bill No. 32 do pass.

That House Joint Memorial No. 10 do pass.

That House Joint Memorial No. 11 do pass.

HAINES (Missoula), Chairman

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 126 and 104, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman

It was moved by Barrett, and carried, that the House recess until 2:00 P. M. this day.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker signed Senate Bill No. 14 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 79, 32, 58, 118, 164, 194, 203 and House Joint Memorials Nos. 3, 8, 10, 11 and 4.

PARKER, Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 do not pass, but that

Substitute House Bill No. 121, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend Sections 14-501, 14-502, 14-503,

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-sixth Legislative Day, find the same to be correct.

GRAY, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 26, 186, 187 and House Joint Memorial No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 92.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 51, respectfully report as follows: That House Bill No. 51 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railway and Aviation Transportation, having had under consideration House Bill No. 94 respectfully report as follows: That House Bill No. 94 do pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 do pass.

HOOKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do pass.

HOOKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 do pass.

HOOKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 be amended as follows: By inserting the words, "relating to declaration of marriages," after the "," following the word "inclusive" in Line 5, of Page 1 of the original bill and as amended, do pass.

HOOKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 do not pass.

HOOKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do not pass.

HOOKS, Chairman.

Report adopted.

MESSAGES FROM GOVERNOR AND SENATE

February 1, 1957

Honorable Eugene H. Mahoney,
Speaker of the House of Representatives,
State Capitol,
House Chambers.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 20—introduced by Wood, Felt, Dempsey, Anderson (Cascade), Cullen, Thompson.

Very truly yours,
J. HUGO ARONSON,
Governor.

February 1, 1957

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 15 by Norby and Paulsen.

House Bill No. 36 by Felt and others.

Respectfully,
WALTER MACK,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Haines of Missoula that Substitute House Bill No. 117 be taken from the Committee on Printing and re-referred to the Committee on Affairs of Cities. Motion carried.

It was moved by MacDonald that a committee be appointed to draft a suitable Memorial in behalf of the former member of this body, Mr. Arthur Hageman of Garfield County. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 92 was passed by the following vote:

Ayes: Abel, Allen, Anderson (Yellowstone), Babcock, Barnard, Barnes, Barrett, Beck, Bentz, Bick, Broeder, Ceroovski, Clark, Clowes, Conklin, Crist, Cullen, Cumming, Devier, DeWolfe, Emmons, Eskildsen, Felt, Frank, Fraser, Gerard, Glancy, Gleed, Goodgame, Hancock, Hawks, Healy, Holding, Hess, Holecsek, Holtz, Howard, Johnson, Juedeman, Karlberg, Kiff, Langston, Lee, MacDonald, MacHaffie, Mangan, McAndrews, McGarvey, McInnis, McOmber, Meagher, Mernin, Michels, Morrison,

the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 464 by Committee on Appropriations.

House Bill No. 92 by Anderson (C) et al.

House Bill No. 461 by Emmons and Hooks by request.

House Bill No. 387 by Hawks et al.

Sub. House Bill No. 177 by Committee on Ways and Means.

House Bill No. 380 by Mahoney and Juedeman.

House Bill No. 167 by Hooks and Cerovski.

Sub. House Bill No. 339 by Committee on Labor.

House Bill No. 122 by McOmber et al.

House Bill No. 419 by Michels.

House Bill No. 294 by Michels et al.

House Bill No. 389 by Hawks et al.

House Bill No. 170 by Wood.

Respectfully,
WALTER MACK,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Barrett that the House accede to the Senate request and return to that Honorable Body House Bills Nos. 326 and 293. Motion carried.

HOUSE RESOLUTION NO. 2

Introduced by McInnis, Michels, Walton, DeWolfe, Strnisha, Wood, Nichols, Kiff, Holecek, Sales, Reeder, Nelson.

A resolution of the House of Representatives of the State of Montana to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, United States Senators from Montana; to the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives from Montana; and to the Honorable Secretary of Agriculture of the United States, requesting a full scale and immediate investigation of the spread between the "on the hoof" cattle prices and the price paid for retail beef by the consumer.

WHEREAS, official reports of the earnings of the major meat packers clearly indicate that while producers are suffering serious economic loss due to a depression in live cattle prices, meat packers' earnings are the highest in history; and

WHEREAS, while "on the hoof" cattle prices are suffering a serious depression, consumers, at the same time, are prevented from having sufficient meat in their diet because of the high cost of retail beef,

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the State of Montana, that the Congress of the United States be urged and requested immediately to implement and proceed with the investigation of the spread between the "on the hoof" cattle prices and the prices paid for retail beef by the consumer.

and that House Bill No. 475 this day returned from the printer, be placed on General Orders. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Barrett that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hooks of Broadwater in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 122 be concurred in.

That Senate Amendments to House Bill No. 464 be concurred in.

That Senate Amendments to House Bill No. 92 be concurred in.

That Senate Amendments to House Bill No. 461 be concurred in.

That Senate Amendments to House Bill No. 387 be concurred in.

That consideration of Senate Amendments to House Bill No. 380 be passed for the day.

That Senate Amendments to House Bill No. 167 be concurred in.

That Senate Amendments to Substitute House Bill No. 339 be concurred in.

That Senate Amendments to House Bill No. 419 be concurred in.

That Senate Amendments to House Bill No. 294 be concurred in.

That House Bill No. 475 do pass.

HOOKS, Chairman.

Report adopted.

Motion was made by Barrett that the House recess until 2:00 P.M. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your select committee appointed to investigate certain operations of the Milk Control Board, under motion made by the Majority Leader on February 19, 1957, report as follows:

We have interviewed thirty witnesses representing milk producers and distributors and the Control Board and have attended a public hearing conducted at Butte by the Executive Secretary. Although the situation is complex and the investigation has been limited in scope, we believe that from the sworn testimony received and the study made, certain valid conclusions can be drawn.

FINDINGS

1. The Milk Control Act was passed in 1939 to promote a stronger

Atkinson, Babcock, Barnard, Barnes, Barrett, Beck, Bentz, Bick, Broeder, Cerovski, Clark, Clowes, Conklin, Crist, Cullen, Cumming, Cunningham, Dempsey, Devier, DeWolfe, Emmons, Eskildsen, Evans, Felt, Fraser, Gebhardt, Gerard, Glancy, Glead, Goodgame, Gray, Haines (Prairie), Haines (Missoula), Hawks, Holding, Hess, Holecek, Holtz, Hooks, Howard, Jensen, Johnson, Juedeman, Karlberg, Kiff, Langston, Lee, Loughran, MacDonald, Mangan, McAndrews, McGarvey, McInnis, McKenna, McOmber, Mernin, Michels, Morrison, Mysse, Nelson, Nelstead, Norby, Parker, Paulsen, Picard, Pierce, Powell, Reeder, Regan, Rieder, Sales, Smeltzer, Strnisha, Tange, Thomas, Thompson, Tonner, Walton, Wayrynen, Wood, Mr. Speaker. Total 85.

Noes: None.

Absent and Not Voting: Berg, Daniels, Frank, Hancock, Healy, Meagher, Nichols, Siderius. Total 8.

Excused: MacHaffie. Total 1.

Senate Amendments to House Bill No. 92 were concurred in by the following vote:

Ayes: Abel, Allen, Anderson (Cascade), Anderson (Yellowstone), Atkinson, Babcock, Barnard, Barnes, Barrett, Beck, Bentz, Bick, Broeder, Cerovski, Clark, Conklin, Crist, Cullen, Cumming, Cunningham, Dempsey, Devier, DeWolfe, Emmons, Eskildsen, Evans, Felt, Fraser, Gebhardt, Gerard, Glancy, Glead, Goodgame, Gray, Haines (Prairie), Haines (Missoula), Hawks, Holding, Hess, Holecek, Holtz, Hooks, Howard, Johnson, Juedeman, Karlberg, Kiff, Langston, Lee, Loughran, MacDonald, Mangan, McAndrews, McGarvey, McInnis, McKenna, McOmber, Mernin, Morrison, Mysse, Nelson, Norby, Parker, Paulsen, Picard, Pierce, Powell, Reeder, Regan, Rieder, Sales, Smeltzer, Strnisha, Tange, Thomas, Thompson, Tonner, Walton, Wayrynen, Wood, Mr. Speaker. Total 81.

Noes: None.

Absent and Not Voting: Berg, Clowes, Daniels, Frank, Hancock, Healy, Jensen, Meagher, Michels, Nelstead, Nichols, Siderius. Total 12.

Excused: MacHaffie. Total 1.

Senate Amendments to House Bill No. 461 were concurred in by the following vote:

Ayes: Abel, Allen, Anderson (Cascade), Anderson (Yellowstone), Atkinson, Babcock, Barnard, Barnes, Barrett, Beck, Bentz, Bick, Broeder, Cerovski, Clark, Conklin, Crist, Cullen, Cumming, Cunningham, Dempsey, Devier, DeWolfe, Emmons, Eskildsen, Evans, Felt, Fraser, Gebhardt, Gerard, Glancy, Glead, Goodgame, Gray, Haines (Prairie), Haines (Missoula), Hawks, Healy, Holding, Hess, Holecek, Holtz, Hooks, Howard, Jensen, Johnson, Juedeman, Karlberg, Kiff, Langston, Lee, Loughran, MacDonald, Mangan, McAndrews, McGarvey, McInnis, McKenna, McOmber, Mernin, Michels, Morrison, Mysse, Nelson, Nelstead, Norby, Parker, Paulsen, Picard, Pierce, Powell, Reeder, Regan, Rieder, Sales, Smeltzer, Strnisha, Tange, Thomas, Thompson, Tonner, Walton, Wood, Mr. Speaker. Total 84.

Noes: None.

Absent and Not Voting: Berg, Clowes, Daniels, Frank, Hancock, Meagher, Nichols, Siderius, Wayrynen. Total 9.

Excused: MacHaffie. Total 1.

Senate Amendments to House Bill No. 387 were concurred in by the following vote:

CONSIDERATION OF GENERAL ORDERS

Motion was made by Barrett that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hooks of Broadwater in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 481 be not concurred in, but that a conference committee of three members be appointed by the Speaker and that a like committee be requested from the Senate.

That consideration of Senate Amendments to House Bill No. 473 be passed until the next sitting.

That Senate Amendments to House Bill No. 279 be not concurred in, but that a conference committee of three members be appointed by the Speaker and that a like committee be requested from the Senate.

HOOKS, Chairman.

Report adopted.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 279: Hooks, Wood, Felt.

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 481: Reeder (Gallatin), McOmber, Atkinson.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 92, Sen. Sub. for Sub. House Bill 131, 275, 278, 388, 466, 52.

BICK, Vice-Chairman.

I have examined House Bill No. 92 introduced by Anderson (Cascade) et al and find the same to be correct.

ANDERSON.

I have examined Senate Sub. for Sub. House Bill No. 131 introduced by the Committee on Education and find the same to be correct.

BARNARD.

I have examined House Bill No. 275 introduced by the Committee on Ways and Means and find the same to be correct.

EMMONS.

I have examined House Bill No. 278 introduced by the Committee on Ways and Means and find the same to be correct.

EMMONS.

I have examined House Bill No. 388 introduced by Hawks et al and find the same to be correct.

HAWKS.

I have examined House Bill No. 466 introduced by the Committee on Appropriations and find the same to be correct.

MacDONALD.

I have examined House Bill No. 52 introduced by Cerovski et al and find the same to be correct.

CEROVSKI.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 92, Sen. Sub. for Sub. House Bill 131, 275, 278, 388, 466 and 52.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 67, 84, 99, 122, 158, 165, 178 and 202.

MESSAGE FROM THE GOVERNOR

Hon. Eugene H. Mahoney,
Speaker of the House.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H.B. No. 198—Introduced by Devier.

H.B. No. 216—Introduced by Reeder (Gallatin) and Michels.

H.J.M. No. 6—Introduced by McInnis, Parker and Rieder (Jefferson).

H.B. No. 180—Introduced by Felt and Evans.

H.J.R. No. 2—Introduced by Glancy, Frank, Meagher, Devier, Parker, Tonner and Johnson.

H.J.M. No. 9—Introduced by Tonner and Mysse.

H.B. No. 4—Introduced by Hancock, Fraser, Babcock, Felt, Nelstead, Howard, Walton, Broeder, Gleed, Bentz, Haines (Prairie), Norby, Powell, Evans, Atkinson, Thomas, Pierce, Smeltzer, Crist, Nichols, Haines (Missoula), Gebhardt, Anderson (Yellowstone), Thompson, MacHaffie, Hawks and Juedeman.

H.B. No. 73—Introduced by Broeder, Haines (Missoula).

H.B. No. 462—Introduced by Committee on Appropriations.

H.B. No. 26—Introduced by Thomas.

Sub. H.B. No. 256—Introduced by Committee on Agriculture, Dairying and Horticulture.

H.J.M. No. 5—Introduced by Wood and Barnard.

H.B. No. 6—Introduced by Haines (Missoula) and Howard.

H.B. No. 168—Introduced by Committee on Education.

Very truly yours,
J. HUGO ARONSON,
Governor.

Motion was made by Barrett that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 477 be concurred in.

That Senate Amendments to House Bill No. 475 be not concurred in, but that a conference committee of three members be appointed by the Speaker and that a like committee be requested from the Senate.

That Senate Amendments to House Bill No. 478 be not concurred in, but that a conference committee of three members be appointed by the Speaker and that a like committee be requested from the Senate.

HOOKS, Chairman.

Report adopted.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following conference committees to appear with like committees from the Senate and confer on the following bills:

Senate Amendments to House Bill No. 475; Hess, Chairman; Reeder, Gleed.

Senate Amendments to House Bill No. 478; Barnard, Chairman; McOmber, Norby.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, at length, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 477 were concurred in by the following vote:

Ayes: Abel, Allen, Anderson (Yellowstone), Atkinson, Babcock, Barnard, Barnes, Barrett, Beck, Bentz, Berg, Bick, Broeder, Cerovski, Clark, Clowes, Conklin, Cumming, Cunningham, Dempsey, Devier, Eskildsen, Felt, Frank, Gebhardt, Gerard, Glancy, Gleed, Goodgame, Haines (Prairie), Hawks, Healy, Holding, Hess, Holecek, Holtz, Hooks, Howard, Jensen, Johnson, Juedeman, Karlberg, Kiff, Langston, Lee, Loughran, MacDonald, MacHaffie, Mangan, McAndrews, McGarvey, McInnis, McKenna, McOmber, Meagher, Mernin, Michels, Morrison, Mysse, Nelson, Nelstead, Nichols, Parker, Paulsen, Picard, Pierce, Powell, Reeder, Regan, Rieder, Sales, Siderius, Smeltzer, Strnisha, Thomas, Thompson, Tonner, Walton, Wood, Fraser, Mr. Speaker. Total 81.

Noes: None.

Absent and Not Voting: Anderson (Cascade), Crist, Cullen, Daniels, DeWolfe, Emmons, Evans, Gray, Haines (Missoula), Hancock, Norby, Tange, Wayrynen. Total 13.

Excused: None.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. Sub. 111, 93, 430, 414, H.J.M. 14, 161, Sub. 253, 277, 267, 194, H.J.M. 15, 262, 226, 297, 352, 274, 291, 419, 355, 388, 199, 307, 380, 474, 461, 455, Sub. 363, 386, 466, Senate Sub. for Sub. H.B. 131, 92, 275, 278, 52, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 5:30 o'clock, P.M., delivered to the Governor for his approval.

BICK, Vice-Chairman.

Mr. Speaker: We, your Committee on Enrolling, beg leave to re-

Chapter	Senate Bill	House Bill		Chapter	Senate Bill	House Bill
1		1		31	88	
2		20		32	136	
3	14			33		35
4		15		34		46
5		36		35		78
6		49		36		90
7		19		37	38	
8		25		38		229
9		54		39	51	
10	16			40	112	
11		22		41	68	
12		28		42		82
13		153		43		217
14		164		44		Sub 3
15		45		45		411
16		42		46		135
17		8		47	13	
18		47		48	23	
19	22			49	53	
20	30			50	58	
21	98			51	65	
22		32		52	82	
23		104		53	102	
24		203		54	104	
25		219		55	125	
26		126		56	126	
27	6			57	135	
28	9			58	Sub 8	
29	11			59	17	
30	12			60	18	

Chapter	Senate Bill	House Bill		Chapter	Senate Bill	House Bill
61	44			91		124
62	115			92		261
63		84		93		296
64		265		94		250
65		220		95		230
66		398		96		Sub 377
67		400		97		197
68		182		98		266
69	5			99		361
70	Sub 20			100		371
71	32			101		71
72	23			102		72
73	36			103		173
74	37			104		196
75	40			105		188
76	100			106		214
77	114			107		213
78	166			108		190
79	170			109		Sub 134
80		Sub 121		110	25	
81		189		111	35	
82		247		112	57	
83		Sub 345		113	60	
84		374		114	79	
85		378		115	80	
86	34			116	118	
87	96			117	168	
88		154		118	173	
89		375		119	179	
90		379		120	182	

Chapter	Senate Bill	House Bill		Chapter	Senate Bill	House Bill
121	201			151		246
122	207			152		259
123	41			153		260
124	43			154		268
125	62			155		288
126	83			156		368
127	91			157		376
128	93			158		385
129	107			159		412
130	108			160		448
131	109			161		4
132	110			162		6
133	116			163		26
134	139			164		73
135	169			165	85	
136	190			166		168
137	200			167		198
138	219			168		180
139		13		169		216
140		69		170		Sub 256
141		Sub 86		171	10	
142		89		172	15	
143		143		173	133	
144		147		174		93
145		159		175		106
146		172		176		Sub 111
147		174		177		161
148		179		178		226
149		183		179		232
150		184		180		252

Chapter	Senate Bill	House Bill		Chapter	Senate Bill	House Bill
181		Sub 262		211	218	
182		267		212	222	
183		269		213		275
184		287		214		278
185		297		215		352
186		298		216		355
187		308		217		Sub 363
188		399		218		461
189		414		219		170
190		456		220		Sub 276
191	67			221		279
192	84			222		354
193	99			223		392
194	122			224		S Sub 442
195	158			225		74
196	165			226		Sub 128
197	178			227		Sub 177
198	202			228		Sub 364
199		38		229		388
200		52		230		389
201		92		231		391
202		Sub 131		232		394
203		194		233		Sub 449
204		199		234	120	
205		277		235		Sub 16
206		307		236		21
207		380		237		107
208		419		238		Sub 137
209		474		239		151
210		386		240		167

Chapter	Senate Bill	House Bill		Chapter	Senate Bill	House Bill
241		193				
242		310				
243		335				
244		Sub 339				
245		344				
246		413				
247		458				
248		479				
249		481				
250		Sub 12				
251		127				
252		381				
253		39				
254		122				

SENATE JOURNAL

OF THE

Thirty-fifth Legislative
Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing January 7, 1957, and
Ending March 7, 1957.

PAUL CANNON, President

WALTER MACK,
Secretary.

BETTY WEST,
Journal Clerk.

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.



No.	Title of Bill	Page
	ter 184 of the Laws of 1953, relating to the fees for inspection of livestock and providing for fees for issuance of market consignment permit or transportation permit for removal of animals from county; to amend Section 46-806 of the Revised Codes of Montana, 1947, as amended by Section 4 of Chapter 184 of the Laws of 1953, relating to the penalties for violations of the livestock inspection laws and providing penalties for failure to obtain transportation permit as required by law, for failure to deliver animals to destination shown on permit and to have such animals so transported inspected at destination, or for failure to file loading tally with carrier as provided in Section 46-1008 of the Revised Codes of Montana; and containing a repealing clause."	219, 220, 311, 386, 394, 529.
90	Introduced by Thomas, Howard, Haines (Missoula), Norby, Beck, DeWolfe, Glancy, Johnson: A bill for an act entitled: "An act to authorize in certain instances the boards of county commissioners to levy an additional tax of not to exceed four (4) mills for the county poor fund."	179, 181, 224, 245, 278.
92	Introduced by Anderson Cascade), Regan, Morrison, Norby, Picard, Healy, Haines (Missoula), Gebhardt, Pierce: A bill for an act entitled: "An act to provide for concurrent jurisdiction of municipalities over violations, occurring within the limits of municipalities, of Sections 39 and 40 of the uniform act regulating traffic on highways, Chapter 263 of the 1955 Session Laws of the State of Montana, pertaining, respectively, to driving while intoxicated and to reckless driving, and to provide for the imposition of fines and penalties by municipalities for such violations, by amending Section 27 of the aforesaid uniform act, Chapter 263 of the 1955 Session Laws of the State of Montana, pertaining to uniformity of provisions of said act throughout this state, Section 28 of said act pertaining to powers of local authorities, Section 39 of said act pertaining to driving while intoxicated, and Section 40 of said act pertaining to reckless driving, repealing all acts or parts of of acts in conflict herewith, and providing an effective date."	108, 111, 465, 496, 529, 594.
93	Introduced by Anderson (Cascade), Regan, Morrison: A bill for an act entitled: "An act authorizing counties, cities and towns to enter into hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees; limiting the county, city or town contribution to five dollars (\$5.00) per month for each officer and employee; repeal-	

Upon motion of Senator James, duly seconded and carried, the Senate recessed subject to the call of the Chair.

Pursuant to recess, the Senate resumed subject to the call of the Chair.

President Cannon presiding.

REPORTS OF STANDING COMMITTEES

The Committee on Printing submitted the following report:

Mr. President: We, your Committee on Printing, to whom was referred: Senate Bill No. 68, beg leave to report the same has this date been returned from the Printer correctly printed.

REARDON, Vice-Chairman.

Report adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following communication from the House was received and read:

February 2, 1957

Mr. President:

I am directed by the House to inform your Honorable Body that the following House Bill was this day read third time and passed, title and history agreed to, and the bill is herewith transmitted to the Senate for concurrence:

House Bill No. 92, introduced by Anderson (Cascade), et al.

Respectfully,
ALLEN DONOHUE,
Chief Clerk.

INTRODUCTION OF SENATE BILLS

The following Senate Bills were introduced, read first and second time, and referred:

Senate Bill No. 119, introduced by Rice, McKenna, Grandey, Anderson (Wibaux), Keister: A bill for an act entitled: "An act to amend Sections 27-404, 27-406, 27-407, 27-408, 27-409, 27-411, 27-413, 27-424, Revised Codes of Montana, 1947, relating to a change in the membership of the board and to increase its compensation, to provide for the consolidation of market areas, orders fixing prices and handling charges, licenses to producers, producer-distributors and distributors, declining, suspending and revoking licenses, license fees, rules and orders; provide for additional remedies where violations are found, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards, Offices and Buildings.

Senate Bill No. 120, introduced by Lehrkind, Manning, Brenner: A bill for an act entitled: "An act to amend Section 92-414 Revised Codes of Montana, 1947, defining major dependent in the Workmen's Compensation Act; amending Section 92-424 Revised Codes of Montana, 1947, defining wife or widow in the Workmen's Compensation Act; amending Section 92-425 Revised Codes of Montana, 1947, defining husband or widower in the Workmen's Compensation Act; amending Section 92-602 Revised Codes of Montana, 1947, relating to an exception in the period of limitation for filing claims for workmen's compensation in the cases of minors or incompetents; amending Section 92-701 Revised Codes of Montana, 1947, as amended by Chapter 253 of the Laws of Montana, 1955, amending Section 92-702 Revised Codes of Montana, 1947, as amended

States Bureau of Reclamation, and that the Congress assure the preservation of recreational and fishery resources values of the Madison river valley. Referred to Committee on Fish and Game.

INTRODUCTION OF HOUSE BILLS

The following House Bill was introduced, read first and second time, and referred:

House Bill No. 92, introduced by Anderson (Cascade), Regan, Morrison, Norby, Picard, Healy, Haines (Missoula), Gebhardt, Pierce: A bill for an act entitled: "An act to provide for concurrent jurisdiction of municipalities over violations, occurring within the limits of municipalities, of Sections 39 and 40 of the uniform act regulating traffic on highways, Chapter 263 of the 1955 Session Laws of the State of Montana, pertaining, respectively, to driving while intoxicated and to reckless driving, and to provide for the imposition of fines and penalties by municipalities for such violations, by amending Section 27 of the aforesaid uniform act, Chapter 263 of the 1955 Session Laws of the State of Montana, pertaining to uniformity of provisions of said act throughout this state, Section 28 of said act pertaining to powers of local authorities, Section 39 of said act pertaining to driving while intoxicated, and Section 40 of said act pertaining to reckless driving, repealing all acts or parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Judiciary.

BUSINESS ON GENERAL FILE

Upon motion of Senator James, duly seconded and carried, the Senate resolved itself into a Committee of the Whole for consideration of Business on General File.

Senator Mahoney in the Chair. Committee arose.

Senate resumed. President Cannon presiding.

The Committee of the Whole submitted the following report:

Mr. President: We, your Committee of the Whole, having had under consideration Business on General File, respectfully report and recommend as follows:

That Senate Bill No. 51 be amended by amending the title, line 6 of the printed bill, by striking out the "period" (.) following the word "laws" and inserting thereafter a "semi-colon" and the words: "providing that all acts and parts of acts in conflict herewith are repealed." and as so amended do pass.

That Senate Bill No. 17 be amended by amending the title by striking out in line 4 the "period" after the word "licenses" and inserting thereafter the semi-colon and words: "; providing that all acts and parts of acts in conflict herewith are hereby repealed; and providing an effective date." and as so amended do pass.

That House Bill No. 54 be concurred in.

That House Bill No. 49 be concurred in.

That the Committee rise and report.

MAHONEY, Chairman.

Upon motion of Senator Mahoney, duly seconded and carried, the foregoing report of the Committee of the Whole was adopted.

had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291, be concurred in.

GROFF, Chairman.

Report adopted.

Mr. President: We, your Committee on Finance and Claims, having had under consideration House Bill No. 464, respectfully report as follows: That House Bill No. 464 be amended as follows:

by striking lines 18, 19 and 20 of the original bill, and on lines 178 and 179 of the printed bill, the following words: "In addition to the above appropriation, there is hereby granted authority for the state forester to transfer funds from one account to another.";

by inserting on line 24 on page 9 of the original bill, and on line 182 of the printed bill, after the figure on line 17: "\$5,000.00" the following words: "In addition to the above appropriation there is hereby granted authority for the state forester to transfer funds from one account to another.";

And as so amended be concurred in.

GROFF, Chairman.

Report adopted.

Mr. President: We, your Committee on Judiciary, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 be amended as follows:

amend Section 2, Subsection 11 by striking in its entirety and inserting in lieu thereof the following: "11. Regulating the driving of vehicles by any person who is a habitual user of, or under the influence of, any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle within the incorporated limits of any city or town.";

and further amend by adding the following Subsections under Section 2: "12. Regulating or prohibiting any person who is under the influence of intoxicating liquor from driving or being in actual physical control of any vehicle within the incorporated limits of any city or town.

"13. Regulating or prohibiting the driving of vehicles by any person in a willful or wanton disregard for the safety of persons or property within the incorporated limits of any city or town.

"14. Adopting such other traffic regulations as are specifically authorized by this act."

And as so amended be concurred in.

HARKEN, Chairman.

Report adopted.

Mr. President: We, your Committee on Judiciary, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 be not concurred in.

HARKEN, Chairman.

Report adopted.

Mr. President: We, your Committee on Judiciary, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 be not concurred in.

HARKEN, Chairman.

Report adopted.

That House Bill No. 464 be concurred in.

That House Bill No. 92 be concurred in.

That House Bill No. 352 be concurred in.

That consideration of Substitute House Bill No. 177 be passed.

That House Bill No. 461 be concurred in.

That House Amendments to Senate Bill No. 92 be concurred in.

That House Bill No. 387 be amended in the title by striking out in line 5 the "semi-colon" and inserting in lieu thereof the word: "and";

And as so amended be concurred in.

That the committee rise and report.

VALITON, Chairman.

Upon motion of Senator Valiton, duly seconded and carried, the foregoing report of the Committee of the Whole was adopted.

The President announced the following Conference Committee to confer with a like committee from the House on Senate Amendments to Substitute House Bill No. 16: McGowan, Chairman; Beley, Hibbs.

THIRD READING OF BILLS

House Amendments to Senate Bill No. 99, having been read three several times, were concurred in by the following roll call vote:

Ayes: Alley, Anderson (Lincoln), Anderson (Wibaux), Beley, Brenner, Brownfield, Carney, Clark, Cotton, Dahl, Durkee, Goodwin, Grandey, Grant, Groff, Harken, James, Jellison, Keister, Keller, Lehrkind, Mackay, Mahoney, McDonnell, McKenna, Minette, Moritz, Murphy, Nees, Reardon, Rice, Robinson, Sagunsky, Smith, Streeter, Valiton, Wenz, Wilson, Worden. Total 39.

Noes: None.

Absent and not voting: Bovey, Hibbs, McGowan, Nixon, Nutter, Ruane, Scofield, Spear. Total 8.

Excused: Balgord, Cole, Hagenston, Hofland, LaCombe, Larson, Manning, Ringling, Stein. Total 9.

House Amendments to Senate Bill No. 91, having been read three several times, were concurred in by the following roll call vote:

Ayes: Alley, Anderson (Lincoln), Anderson (Wibaux), Balgord, Beley, Carney, Clark, Cotton, Dahl, Durkee, Goodwin, Grandey, Grant, Groff, Harken, James, Jellison, Keister, Keller, Lehrkind, Mackay, Mahoney, McDonnell, McGowan, McKenna, Minette, Moritz, Murphy, Nees, Nixon, Reardon, Rice, Ringling, Robinson, Ruane, Sagunsky, Scofield, Smith, Streeter, Valiton, Wenz, Wilson, Worden. Total 43.

Noes: None.

Absent and not voting: Bovey, Hibbs, Nutter, Spear. Total 4.

Excused: Brenner, Brownfield, Cole, Hagenston, Hofland, LaCombe, Larson, Manning, Stein. Total 9.

Senator Mackay presiding.

House Amendments to Senate Bill No. 179, having been read three several times, were concurred in by the following roll call vote:

Taxation and Education and prescribing the powers and duties of the commission; providing for selection of an executive secretary and other personnel; appropriating funds for the expense thereof and providing for an effective date." Referred to Committee on Finance and Claims.

THIRD READING OF BILLS

At this time the President signed in open session House Bills Nos. 183, 172, 143, 246, 260, 259, 376, 412, 89, 159, 138, 174, 179, 238, 268 and 231.

House Bill No. 464, having been read three several times, was concurred in by the following roll call vote:

Ayes: Alley, Anderson (Wibaux), Balgord, Beley, Bovey, Brenner, Brownfield, Carney, Clark, Cole, Cotton, Dahl, Durkee, Goodwin, Grandey, Grant, Groff, Hagenston, Harken, Hibbs, Hofland, James, Jellison, Keister, Keller, LaCombe, Larson, Lehrkind, Mackay, Manning, McDonnell, McGowan, McKenna, Minette, Moritz, Murphy, Nees, Nixon, Nutter, Reardon, Rice, Ringling, Robinson, Ruane, Sagunsky, Scofield, Smith, Spear, Stein, Streeter, Valiton, Wenz, Worden. Total 53.

Noes: Anderson (Lincoln). Total 1.

Absent and not voting: Mahoney, Wilson. Total 2.

Excused: None.

Senator Mackay presiding.

House Bill No. 92, having been read three several times, was concurred in by the following roll call vote:

Ayes: Alley, Anderson (Lincoln), Anderson (Wibaux), Balgord, Beley, Bovey, Brenner, Brownfield, Carney, Clark, Cole, Cotton, Dahl, Durkee, Goodwin, Grandey, Grant, Groff, Hagenston, Harken, Hibbs, Hofland, James, Jellison, Keister, Keller, LaCombe, Larson, Lehrkind, Mackay, Manning, McDonnell, McGowan, McKenna, Minette, Moritz, Murphy, Nees, Nixon, Nutter, Reardon, Rice, Ringling, Robinson, Ruane, Sagunsky, Scofield, Smith, Spear, Stein, Streeter, Valiton, Wenz, Worden. Total 54.

Noes: None.

Absent and not voting: Mahoney, Wilson. Total 2.

Excused: None.

House Bill No. 461, having been read three several times, was concurred in by the following roll call vote:

Ayes: Alley, Anderson (Lincoln), Anderson (Wibaux), Balgord, Beley, Bovey, Carney, Clark, Cole, Cotton, Dahl, Durkee, Goodwin, Grandey, Grant, Groff, Hagenston, Harken, Hibbs, Hofland, James, Jellison, Keister, Keller, LaCombe, Larson, Lehrkind, Mackay, Mahoney, Manning, McDonnell, McGowan, McKenna, Minette, Moritz, Murphy, Nees, Nixon, Nutter, Reardon, Rice, Robinson, Ruane, Sagunsky, Smith, Stein, Streeter, Valiton, Wenz, Worden. Total 50.

Noes: Brenner, Brownfield, Ringling, Scofield, Spear. Total 5.

Absent and not voting: Wilson. Total 1.

Excused: None.

House Bill No. 387, having been read three several times, was concurred in by the following roll call vote:

Ayes: Balgord, Beley, Carney, Clark, Cole, Cotton, Dahl, Durkee, Grandey, Groff, Hagenston, Harken, Hibbs, Hofland, James, Jellison, Keister, Keller, LaCombe, Larson, Mahoney, Manning, McDonnell, McGowan, McKenna, Minette, Moritz, Nees, Nixon, Nutter, Reardon, Rice, Robinson, Sagunsky, Spear, Stein, Valiton, Wilson, Worden. Total 39.

Noes: Alley, Anderson (Wibaux), Brenner, Brownfield, Goodwin, Mackay, Ringling, Scofield, Streeter, Wenz. Total 10.

Absent and not voting: Anderson (Lincoln), Bovey, Grant, Smith. Total 4.

Excused: Lehrkind, Murphy, Ruane. Total 3.

At this time the President signed in open session House Bills Nos. 466, 52, 92, 275, 278 and Senate Substitute for Substitute House Bill No. 131.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following communication from the House was received and read:

March 7, 1957

Mr. President:

I am directed by the House to inform your Honorable Body that the House this day on roll call vote, adopted the report of the Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 127.

Respectfully,
ALLEN DONOHUE,
Chief Clerk.

Upon motion of Senator James, duly seconded and carried, the Senate recessed subject to the call of the Chair.

Pursuant to recess, the Senate resumed subject to the call of the Chair.

President Cannon presiding.

Upon the request of Senator James, duly seconded by four members of the Senate, a call of the Senate was ordered.

The President thereupon ordered that the doors of the Senate be closed and that no member be permitted to leave the Senate chamber while the call of the Senate was in effect.

Upon motion of Senator James, duly seconded and carried, the call of the Senate was dispensed with.

At the request of Senator James, and without objection, the Senate was on Order of Business No. 11, Special Orders of the Day.

SPECIAL ORDERS OF THE DAY

Upon motion of Senator James, duly seconded and carried, it was moved that the Senate proceed to the election of a President Pro Tempore Ad Interim.

Senator James nominated Senator Cotton.

Senator Balgord nominated Senator Cole.

Senator Cotton was elected President Pro Tempore Ad Interim by the following roll call vote:

Cotton: Anderson (Lincoln), Beley, Bovey, Carney, Clark, Cole, Dahl, Durkee, Goodwin, Grant, Groff, Hagenston, Harken, James, Keister, Keller,

FINAL STATUS SHEET

HOUSE OF REPRESENTATIVES

of the

State of Montana



**Thirty-fifth Legislative Assembly
January 7, 1957 to March 7, 1957
inclusive**



EUGENE H. MAHONEY, Speaker

Prepared in the Office of the Chief Clerk

**ALLEN DONOHUE,
Chief Clerk**



H. B. No.	Author	Short Title	Last History
80	Felt (by request)	Legalizing profit-sharing pension trusts.	*Killed in Senate Committee on Judiciary 2/27/57.
81	Siderius, et al.	Changing disqualification provisions under UCC law.	*Killed in Senate Committee on Relief and Social Security 2/21/57.
82	Committee on Banking and Insurance	Appropriating \$25,000 to recodify state insurance laws.	Approved 2/25/57. Effective 7/1/57. Chapter 42.
83	Goodgame, et al.	Removin g limits for medical payments under workmen's compensation act.	Died in House Committee on Workmen's Compensation.
84	McKenna, et al	Giving city councils authority to permit out-of-city residents to connect to city water systems.	Approved 3/1/57. Effective 7/1/57. Chapter 63.
85	Gray, et al.	Appropriating \$100,000 to establish and operate bureau of argiculture marketing at Montana State College.	Killed on General Orders in House 2/14/57.
86	Barrett, et al.	Providing \$20,000 to include children of Korean war victims in state higher education plan.	*Killed in House Committee on Military Affairs 2/11/57.
Sub. 86	Committee on Military Affairs	Providing \$20,000 to include children of Korean war victims in state higher education plan.	Approved 3/7/57. Effective 7/1/57. Chapter 141.
87	Conklin, et al.	Permitting osteopaths to do minor surgery.	*Killed in House Committee on Judiciary 2/16/57.
88	Abel, Thompson	Requiring county licenses for architects and builders.	*Killed in House Committee on Judiciary 1/26/57.
89	Walton, et al.	Allowing cattle shippers to use permit system for shipments to rail heads.	Approved 3/7/57. Effective 7/1/57. Chapter 142.
90	Thomas, et al.	Allowing counties to continue 4-mill levy for poor funds.	Approved 2/21/57. Effective 7/1/57. Chapter 36.
91	Tonner, et al.	Nullifying previous legislation for trade of Glacier park lands.	*Killed in House Committee on State Lands 1/30/57.
92	Anderson (Cascade), et al.	Giving major driving violation prosecution power to municipal courts.	Approved 3/9/57. Effective 3/9/57. Chapter 201.
93	Anderson (Cascade), et al.	Permitting counties and towns to join in insurance plan for employees.	Approved 3/8/57. Effective 3/8/57. Chapter 174.

* By adoption of Adverse Committee Report.